

REMARKS**Summary of the Office Action**

Claims 9 and 11 stand objected to because of particular informalities.

Claims 11, 14, 17, and 22 stand rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite.

Claims 1, 9 and 10-24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Koyata et al. (U.S. Patent No. 6,622,158) (hereinafter "Koyata").

Summary of the Response to the Office Action

Applicants have amended claims 9, 11 and 12 to improve the form of the claims.

Accordingly, claims 1, 9 and 11-24 remain pending for consideration.

Claim Objections

Claims 9 and 11 stand objected to because of particular informalities. Claims 9 and 11 have been amended to improve their form in accordance with the Examiner's comments at page 2, section 1, of the Office Action. For example, claim 9 has been amended to be directed to a "method of displaying character information ..." Also, claim 11 has been amended to improve its readability. In particular, dependent claim 11 is similar to dependent claim 22 in its recitation of particular features. Claim 22 has not been objected to for informalities. Accordingly, the "wherein" clause of claim 11 has been amended to be consistent with the "wherein" clause of claim 22 to obviate the objection. As a result, Applicants respectfully request that the objections to claims 9 and 11 be withdrawn.

Rejections under 35 U.S.C. § 112, Second Paragraph

Claims 11, 14, 17, and 22 stand rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. In particular, the Examiner cites to MPEP § 2173.05(d) for its assertion at page 2, section 3 of the Office Action, that the phrase “such as” renders these claims indefinite because it is allegedly “unclear whether the limitations following the phrase are part of the claimed invention.” These rejections are respectfully traversed for at least the following reasons.

Applicants respectfully submit that the use of the term “such as” in each of claims 11, 14, 17 and 22 does not render these claims indefinite. MPEP § 2173.05(d) provides particular examples of claim phrases utilizing “for example” and “such as” that have been held to be indefinite, but goes on to direct that such “examples of claim language which have been held to be indefinite are fact specific and should not be applied as *per se* rules.” This MPEP section then makes reference to MPEP § 2173.02 for guidance regarding when it is appropriate to make a rejection under 35 U.S.C. § 112, second paragraph.

MPEP § 2173.02 presents an example of a claim that recites “a suitable liquid such as the filtrate” and “a filtering agent such as perlite, cellulose powder, etc.” The MPEP then explains that the “mere use of the phrase ‘such as’ in the claim does not by itself render the claim indefinite. Office policy is not to employ *per se* rules to make technical rejections.” The MPEP goes on to direct that “[t]he test for definiteness under 35 U.S.C. § 112, second paragraph, is whether ‘those skilled in the art would understand what is claimed when the claim is read in light of the specification.’ *Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 806 F.2d 1565, 1576, 1 USPQ2d 1081, 1088 (Fed. Cir. 1986).” The MPEP goes on to explain that “[i]f one skilled in the

art is able to ascertain in the example above, the meaning of the terms "suitable liquid" and "solids of a filtering agent" in light of the specification, 35 U.S.C. 112, second paragraph, is satisfied."

Applicants respectfully submit that the use of "such as" in each of claims 11, 14, 17 and 22 within the phrase "pair of symbols such as < and >" does not render the claims indefinite. Instead, it renders additional clarity to the claims, in light of the specification and figures, by providing an example of specifically what is meant by the recited phrase "pair of symbols." See, for example, FIGs. 2B and 2C and corresponding description in the specification of the instant application. Along these lines, Applicants respectfully submit that those skilled in the art of character information displays would clearly understand what is being recited in claims 11, 14, 17 and 22 when the subject claims are read in light of the specification.

For at least the foregoing reasons, Applicants respectfully submit that claims 11, 14, 17, 22 are fully compliant with 35 U.S.C. § 112, second paragraph. Accordingly, the withdrawal of the rejections under 35 U.S.C. § 112, second paragraph is respectfully requested.

Rejection under 35 U.S.C. § 102(e)

Claims 1, 9 and 10-24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Koyata. Applicants respectfully traverse this rejection for at least the following reasons.

As explained in the specification, embodiments of the disclosure of the instant application relate to receiving an information signal within a user's vehicle, for example. The received information signal can be presented to the user to inform the user of particular information (for example, traffic information). The received information signal includes

character information. Advantageously, sound information is able to be synthesized from particular portions of the received character information. This allows the user to hear the received information without having to focus on reading a textual display of the character information. The advantages of such an arrangement can easily be understood in an arrangement where a driver of a vehicle can continue to pay attention to the road in front of him while also listening to the received information, as opposed to attempting to read a character display while his vehicle is moving forward.

The specification goes on to explain that embodiments of the disclosure of the instant application include a feature that the user (or data receiving party) can select only particular portions of the received character information from which he would like a sound signal to be synthesized. As a result, the data receiving party can control, from within his vehicle, for example, which of the received character information he would like to be able to hear while he is driving. The specification of the instant application explains that this feature is attained through the use of tags included in the transmitted character information that allow for the contents of the character information to be recognized so that the user can control the voice synthesis of particular portions of the received character information. See, for example, page 22 of the specification and FIGs 2A-2C, and corresponding descriptive portions of the specification.

The Office Action asserts that the applied Koyata references discloses all of the claimed features of the instant application. Such an assertion is respectfully traversed for at least the following reasons. Koyata is directed to a character information copying system in which characters can be copied onto a magneto optic disc such as a MD (Mini Disc, registered trade name) "by copying and pasting character information such as titles of music pieces, singer

names, and the like opened on a computer communication network and by transmitting it to the recording apparatus via an interface.” See Abstract of Koyata. Accordingly, the arrangements described in Koyata allow a user to obtain character information regarding the contents to be recorded onto a disc (such as song titles and singer’s names) directly from a computer network without having to manually input the character information onto a disc, which Koyata explains as being both “complicated” and “troublesome” for the user. See col. 1, lines 51-64 of Koyata.

However, Applicants respectfully submit that Koyata does not teach or suggest, to any extent, “producing a synthesized sound from the character information” in the manner recited in independent claim 1, for example. In other words, Koyata is only concerned with transmitting textual character information, representing a song title or a singer’s name, so that it can be recorded onto a disc as textual character information. There is no sound synthesized from the transmitted textual character information in Koyata to any extent in the manner recited in independent claim 1 of the instant application.

In addition, Applicants respectfully submit that the Office Action refers to col. 10, lines 52-59 of Koyata as allegedly meeting the features of step “D” of independent claim 1. Step “D” of independent claim 1 includes particular features of “producing a synthesized sound from the character information ... if the two tags match in step C” and also sets forth “... not producing any sound from the character information ... when the two tags do not match in step C.”

Applicants respectfully submit that such features are neither shown nor suggested by Koyata.

For example, Applicants respectfully submit that the cited portion of Koyata at col. 10, lines 52-59 merely teaches about conversion from alphabet text to katakana text.

Moreover, Applicants respectfully submit that independent claims 14, 17 and 21 are also not anticipated by Koyata for similar reasons as set forth above with regard to independent claim 1. For example, independent claim 14 includes a feature of producing a synthesized sound from the transmitted display information. Koyata does not teach or suggest, to any extent, that sound is synthesized from the transmitted information in the manner recited in independent claim 14.

Accordingly, Applicants respectfully assert that the rejections under 35 U.S.C. § 102(e) should be withdrawn because Koyata does not teach or suggest each feature of independent claims 1, 14, 17 and 21. As pointed out in MPEP § 2131, "[t]o anticipate a claim, the reference must teach every element of the claim." Thus, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987)." Furthermore, Applicants respectfully assert that the dependent claims are allowable at least because of their dependence from independent claims 1, 14, 17 or 21, and the reasons set forth above.

CONCLUSION

In view of the foregoing, Applicants submit that the pending claims are in condition for allowance, and respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution. A favorable action is awaited.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

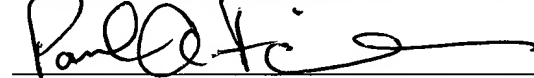
This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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